

# Sublette County, Wyoming

## Planning and Zoning Commission

### Official Minutes

Nov. 18<sup>th</sup>, 2021

The regularly scheduled meeting of the Sublette County Planning and Zoning Commission was held in the Lovatt Room of the Sublette County Library on this date. Present were Sublette County Planner Dennis Fornstrom, Assistant Planner Alan Huston, and Assistant Planner Tess Soll. Commissioners Blake Greenhalgh, Maike Tan, Pat Burroughs, Chris Lacinak, Ken Marincic, and Deputy County Attorney Clayton Melinkovich were present.

Comm. Greenhalgh called the meeting to order at 6:00 PM. and welcomed everyone to the meeting and acknowledged the large body of the public in attendance. Comm. Greenhalgh addressed the public and gave guidance regarding the procedures to be followed at the public meeting. No motion was made to approve Oct. meeting minutes at this time.

**Items on the agenda were introduced by the Comm. Greenhalgh as follows:**

#### **Agenda Item #1.**

Item #1 was a request by William Conley and Owen Popinchalk for a partial vacation. Comm. Greenhalgh introduced this request and Mr. Fornstrom expanded upon the request of the applicants. Brief technical interruption. Mr. Fornstrom called on Jorgensen Engineer for additional comment. No comment or additional information was given by Jorgensen. Comm. Greenhalgh asked for questions from the board and the public. Individual in the crowd stated she could not hear any information on the agenda item. Mr. Fornstrom addressed the public again.

#### **Action # 1**

A motion by Comm. Tan for approval of partial vacation was seconded by Ken Marincic, and the motion passed 5/0.

#### **Agenda Item #2.**

Item #2 was a request by Charles Lopeman for a variance to a setback requirement. Comm. Greenhalgh introduced the request and Mr. Fornstrom expanded on the applicant's request. Mr. Fornstrom noted specifically, the variance request from a 50ft setback requirement (per A-1 zoning regs) to a 20ft setback to construct a shop. A buried power line in the vicinity that would be affected by a 50ft setback requirement. A brief comment by Charlie Lopeman. One public comment. Comm. Lacinak made an observation statement regarding variances, as this applicant's request is not self-inflicted.

#### **Action # 2**

A motion by Comm. Burroughs for approval of the variance request was seconded by Maike Tan and the motion passed 5/0.

#### **Agenda Item #3.**

Item #3 was a request for a re-zone from A-1 to I-L from the Dorthy Noble Trust and Corey Felton. Comm. Greenhalgh introduced request and Mr. Fornstrom expanded on the applicant's request and application information. Mr. Fornstrom noted Mr. Felton is in the audience and can address additional questions. Mr. Felton addressed the board's questions. In summary, the applicant would like to build approximately 100 heated storage units on this property. The storage units would be heated by a Messersmith wood-fired boiler system, fed by woody biomass i.e., wood chips, from Mr. Felton's tree business located in Jackson. Chips would be processed at the Jackson location and then transported by semi-truck to this

property/facility. The applicant stated an additional use for woody biomass produced would be mulch made by wood chips and ash bi-product for resale. Utilities would be installed on the property as a backup to the boiler system. Comm. Greenhalgh asked for comments from the board. Board members responded with comments. Comm. Greenhalgh asked for public comment. Two attendees gave comments.

### **Action # 3**

A motion by Comm. Burroughs to table agenda item #3 for re-zone, pending more information to be provided by applicant by December 16<sup>th</sup>, 2021, motion seconded by Maike Tan and the motion passed 5/0.

### **Agenda Item #4**

Item #4 was a request by the Jackson Fork Ranch for a re-zone from A-1 to R-S. Comm. Greenhalgh introduced request. Mr. Fornstrom expanded upon the request and application for re-zone. Mr. Fornstrom noted specifically the request is approximately 56 acres of the property, located on the upper Hoback Rd. Mr. Fornstrom stated Mr. Fisher the owner's rep is in attendance and can further explain the request and application. Mr. Fisher gives a summation of the re-zone request and explains in detail 8 self-imposed conditions, two-phased construction process, and compared the differences between the applicant's previous request for re-zone and the current request. Throughout the summation by Mr. Fisher, he states on several occasions the usage and definition of the term's 'resort' and 'guest ranch' facility. Mr. Fisher calls on expert Kent Worland from Biota. Public comment. Comm. Greenhalgh asks for Zoom comments. Public comment resumes. Mr. Fisher rebuts public comment. Comm. Lacinak comments on the order of the meeting. Public comment resumes. Comm Greenhalgh asks for board comment for Mr. Fisher. Comm. Greenhalgh has questions on viewsheds. Rio Verde presents on viewshed information. Public comment resumes. Mr. Fisher rebuts public comment. Comm. Burroughs asks a question regarding specific reg that prohibits public partaking in guest ranch activities. Mr. Melinkovich responds with discussion regarding terminology of 'guest ranch' found in the P&Z regulations. Comm. Tan comments on additional property owned by applicant, which is not being considered for re-zone. Mr. Fisher continues to answer board questions. Public comment concluded. Mr. Fisher makes closing remarks. Comm. Greehalgh opens for board comment.

**\*\*Public comment for agenda item #4 began at approximately 7:25 pm and ended at approximately 10:00 pm.**

**\*\* Approximately 35 comments were made regarding a variety of concerns such as;**

Traffic studies  
Air quality  
Dark skies  
Viewsheds  
Noise  
Wildlife impacts  
Absence of community need  
Impacts on community resources  
Water way impacts  
General dislike for property owner

### **Action #4**

A motion by Comm. Lacinak to deny zoning district boundary change was seconded by Pat Burroughs and the motion to deny was passed by a vote of 3/2.

### **New business**

Item #1

Introduction of the new Associate Planner, Tess Soll

Item #2

To approve meeting minutes from Oct. 12st, 2021 meeting.

## Action # 1

Chris Lacinak purposes three amendments to the proposed minutes;

1. Mr. Fornstrom stated his belief that if an application was turned in by the deadline for the next Planning and Zoning public meeting that it had to be heard at the next meeting. Mr. Melinkovich stated that this was not the case and clarified that an applicant getting their application in before the deadline for a given meeting does not guarantee them a spot on the upcoming agenda. If they don't get it in before the deadline they definitely will not be on the agenda, but if they do get it in before then it doesn't mean that they necessarily will. The Planning and Zoning Commission and Office Staff can exercise their best judgment in deciding how much is reasonable to include on a single agenda before making the legal announcement and triggering the official timeline clock starting. If a decision is made to hear an application at a later meeting this is legal and does not violate any timeline requirements stated in the state statutes or planning and zoning regulations.

2. Comm. Lacinak noted that it was standard practice for **other** Planning and Zoning Commissions to be involved in and approve Planning and Zoning meeting agendas before legal notice is published by office staff. Comm. Lacinak proposed that the Commission discuss adopting this practice. Mr. Fornstrom and Mr. Melinkovich noted that the process and logistics would be important to consider.

3. Mr. Fornstrom stated his belief that he was not able to divulge any information about applications to the Planning and Zoning Commission prior to a final application being submitted, even if asked by the Commission for information. Comm. Lacinak, Comm. Burroughs, and Comm. Tan **stated** that this amounted to withholding information from the Commission and stated that there was no logical or legal basis for Mr. Fornstrom to take this stance. This was left unresolved at the meeting.

Comm. Lacinak motions to adopt the minutes as amended including approved edits, seconded by Pat Burroughs, motion passed 5/0.

### Item #2

By-law discussion by board. Board agreed upon drafts and/or outlines to be presented by next meeting Dec. 16<sup>th</sup> 2021.

### Item #3

Ken Marinci opened discussion regarding internal emails between P&Z staff and P&Z board. This discussion continued for approximately 30 minutes.

There being no other business, Comm Greenhalgh adjourned the meeting at 11:04 pm.

PLANNING AND ZONING COMMISSION  
SUBLETTE COUNTY, WYOMING



Blake Greenhalgh, Chairman

Attest:



Dennis Fornstrom, Sublette County Planner

\*\*\* Please note that a digital audio recording of the meeting is available at the Planning and Zoning Office.

